

DEFERMENT, SUSPENSION AND CANCELATION OF ENROLMENT POLICY AND PROCEDURES

Purpose

- 1.1 The purpose of this policy is to provide guidelines to overseas students and staffs of Jabin Hopkins Institute of Technology (JHIT) in relation to deferring, suspending or cancelling the overseas student's enrolment.
- 1.2 Complying with the requirement of 'Standard 9 – Deferring, suspending or cancelling the overseas student's enrolment of the 'National Code of Practice for Providers of Education & Training to Overseas Students 2018' and Section 19 reporting requirement of ESOS Act.

Policy

- 2.1 Jabin Hopkins Institute of Technology shall use this policy procedure for assessing, approving and recording a deferment, suspension or cancellation of studies including maintaining a record of any decisions.
- 2.2 Jabin Hopkins Institute of Technology may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances include, but are not limited to:
 - Serious injury or illness where the medical certificate states the student was/is unable to attend classes
 - Bereavement or serious illness of a closed family member (where possible, a death/ medical certificate needs to be provided)
 - Major political upheaval or natural disaster in the home country requiring emergency travel and it has impacted on the student's studies
 - A traumatic experience such as being involved in a serious crime or accident. All such cases need to be supported by police or psychologists' reports
 - Where Jabin Hopkins Institute is unable to offer a requisite unit
 - A student did not receive a visa in time to commence studies on the due date
 - Any other reasons that beyond the control of student.
- 2.3 Jabin Hopkins Institute of Technology may suspend or cancel a student's enrolment including, but not limited to, on the basis of the grounds described in the procedures section.
- 2.4 When there is any deferral, suspension or cancellation action taken under this policy, Jabin Hopkins Institute of Technology shall:
 - inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
 - report the change to the overseas student's enrolment under section 19 of the ESOS Act.
- 2.5 Jabin Hopkins Institute of Technology may not defer or suspend the enrolment of a student for financial hardship as financial solvency is one of the core requirements for student visa and students must pay their instalments during the deferment if there is any payment plan made instead of paying the fees in advance by the semester.
- 2.6 Jabin Hopkins Institute of Technology preserves the rights to extend or not to extend the course duration for the deferment or suspension of the enrolment as this may affect student's course completion date and the visa. This is also to ensure that student doesn't use deferment as a method of extending their course duration and the visa.
- 2.7 Jabin Hopkins Institute of Technology may suspend or cancel student's enrolment without giving students a 20 working days appeal notice in the following circumstances:

- Passive/Inactive Notification of Cessation of Studies where student do not commence or return to class after the holiday/deferment/term/semester break and did not notify the institute for the extended period
- Student do not attend the class for an extended period and Jabin Hopkins failed to reach or contact the student.

The students may request Jabin Hopkins Institute of Technology to re issue the CoE if they had compassionate or compelling reason and evidence not to join the studies.

- 2.8 Jabin Hopkins Institute of Technology do not offer education services to under 18 students and obliged under ESOS Act, Section 19 to report the event within 31 days until otherwise specified different timeframe by other section of the act.
- 2.9 If a student requests for cancellation after Jabin Hopkins Institute of Technology initiated a student cancelation or suspension process, then Jabin Hopkins Institute of Technology preserves the rights to take decision on which ground the student's enrolment will be cancelled.
- 2.10 Whatever the reason of suspension or cancelation the students shall have obligations to pay remaining fees if there any to Jabin Hopkins Institute of Technology as per the written agreement.

Procedures

3.1 Non Commencement of Studies

All overseas students who have been accepted and issued Confirmation of Enrolment (CoE) by the Jabin Hopkins Institute of Technology to commence their studies as per the proposed start date on the CoE. The same rule applies for resumption of studies. Students must contact Jabin Hopkins Institute of Technology and apply for deferment if they are unable to commence the course for compassionate or compelling circumstances.

Steps

- Student Administration department shall check induction and commencement record to identify the student who is yet to commence or resume studies after the deferment and contact them by email and/or phone for the commencement or resumption.
- If students do not commence or resume after deferment/suspension or make alternative arrangement within 1 week from the commencement/resumption date, Student Administration department shall send "Notification of Non Commencement/Resumption" to student notifying that JHIT will wait for another 2 weeks for the commencement/resumption or arranging an alternative if there is any compassionate or compelling ground otherwise we will cancel the enrolment within 31 days from the proposed start date. We shall also advise the consequence of the absenteeism.
- Student Administrator shall present the report to PRISMS Administrator to cancel the enrolment if student failed to commence/resume or make alternative arrangement.
- Student Administrator/PRISMS Administrator shall send "Enrolment Cancellation Confirmation" letter to student after cancelling the enrolment. The letter should advise student to contact immigration for the further advise on their student visa.

3.2 Deferring/Suspending the Studies

As describe above and in the policy section, students may request for deferring/suspending their studies for the compassionate or compelling circumstances. Please refer to the policy section for the details of compassionate or compelling circumstances.

Steps

- Students must submit the deferment or temporary suspension request in writing along with documentary evidence (for example: A police report, medical certificate and air ticket etc) to support the request. Students can collect deferment/suspension form either from the Reception, JHIT Portal or writing an email to Student Administration.
- If application successful, Student Administrator will record the deferment/suspension in PRISMS within 31 days from the last class attended date.
- If students do not provide supporting evidence with the deferment/suspension application, JHIT Student Administration will contact student to provide the evidence. If we failed to contact students or students failed to provide evidence on time, we may refuse the application and take necessary action as per the attendance and cancellation policy.
- Should the deferment application be refused, Jabin Hopkins Institute will confirm the student for its decision by issuing "Deferment/Suspension Refusal Notification" letter. The letter should include the consequence and advise to student if they missed the classes.
- Students must resume the course on time after the deferment/suspension and notify Student Administration about their resumption. If student failed to resume and do not make an alternative arrangement, JHIT Student Administration will follow the steps of non-commencement of studies.

3.3 Student Initiated Cancellation

A student may cancel their enrolment where they have decided to discontinue studying with JHIT. However, Students shall have obligations to pay remaining fees if there any to Jabin Hopkins Institute of Technology as per the written agreement.

Steps

- Students to notify Jabin Hopkins either by completing Cancellation form or writing email or through their agent. This is considered as **active notification of cessation of studies**.
- JHIT Student Administration should collect evidence to support the cancellation however, JHIT must process the cancellation within 31 days even student fails to provide further evidence.
- If Students wishing to transfer their enrolment prior to completing 6 months of their principle course must provide a letter of offer from an alternative provider. However, this transfer shall be subject to written agreement and 'Transfer and Release Policy and Procedures'.

3.4 Passive/Inactive Notification of Cessation of Studies

JHIT consider that the students indirectly notifying cessation of studies if students do not commence or return to class after the holiday/deferment/term/semester break and did not notify the institute for the extended period; or students do not attend the class for an extended period and Jabin Hopkins failed to reach or contact the student, then it is considered as passive/inactive notification, means the student have no interest to study on current course.

In these circumstances,

- JHIT shall not issue any appeal notification however, JHIT Student Administrator must try contacting students to know their status or intention.
- PRISMS Administrator shall cancel the enrolment within 31 days from the inactivity (expected start date or last class attended).
- Student Administrator/PRISMS Administrator shall send "Enrolment Cancellation Confirmation" letter to student after cancelling the enrolment. The letter should advise student to contact immigration for the further advise on their student visa.

3.5 Provider (JHIT) Initiated Deferral, Suspension or Cancellation of Enrolment

A. Provider Default

The provider may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the provider deems necessary to cancel the course. In such cases a refund shall be processed as required or alternative courses offered as per TPS directions.

Provider default occurs if:

- the provider fails to start providing the course to the student at the location on the agreed starting day; or
- after the course starts but before it is completed, it ceases to be provided to the student at the location; and the student has not withdrawn from the course before the default day.

Provider obligations:

- we must notify the Secretary and the TPS Director of the default within 3 working days of the default occurring and we must also notify students in relation to whom we have defaulted.
- We have 14 days after the day of the default (the provider obligation period) to satisfy our tuition protection obligations to the student.
- have 7 days after the end of provider obligation period to give a notice to the Secretary and the TPS Director of the outcome of the discharge of your obligations through PRISMS.

B. Provider Initiated Suspension or Cancellation

Jabin Hopkins Institute of Technology may suspend or cancel a student enrolment where they have not paid fees as documented in their written agreement/s or has behaved in a manner that is not appropriate for an education setting such as misbehaviour. Such actions may include but is not limited to acts of discrimination, sexual harassment, vilification or bullying, as well as acts of cheating or plagiarism. Such acts of misbehaviour will be classified into one of two categories – Academic Misconduct or General Misconduct. Where the Academic or General Misconduct is considered severe enough, the provider has the right to cancel the student enrolment.

Academic Misconducts are in general not attending the classes at the required rate, cheating or plagiarism, further details are in Assessment and Plagiarism Policy. The General misconduct is where a student has acted in a manner that is not appropriate for an education setting. The following examples indicate the kinds of behaviour which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Examples of General Misconduct may include where a student has:

- Non-payment of fees as documented in the student's written agreement;

- Does not follow the rules and procedures of the provider;
- prejudices the good name or reputation of the provider;
- prejudices the good order and governance of the provider or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the provider;
- fails to comply with conditions agreed in the contract;
- wilfully disobeys or disregards any lawful order or direction from the provider personnel;
- refuses to identify him or herself when lawfully asked to do so by an officer of the provider;
- fails to comply with any penalty imposed for breach of discipline;
- misbehaves in a class, meeting or other activity under the control or supervision of the provider, or on provider premises or other premises to which the student has access as a student of the provider;
- obstructs any member of staff in the performance of their duties;
- acts dishonestly in relation to admission to the provider;
- knowingly makes any false or misleading representation about things that concern the student as a student of the provider or breaches any of provider rules;
- alters any documents or records;
- harasses or intimidates another student, a member of staff, a visitor to the provider, or any other person while the student is engaged in study or other activity at Jabin Hopkins, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- breaches any confidence of the provider;
- misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the provider premises while acting as an the JHIT student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;
- steals, destroys or damages a facility or property of the provider or for which the provider is responsible; or
- is guilty of any improper conduct

Where a student has been identified of Academic or General Misconduct the CEO/RTO Manager shall be informed and will make a decision on the penalty and the severity of the penalty. The CEO/RTO Manager may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.

The penalties the JHIT may impose include:

- Non-payment of fees may result in suspension of studies until such time as the remaining fees are paid or cancel the enrolment and proceed for debt collection.
- Academic Misconduct could include a warning, repeating an assessment task, deemed NYC in the unit of competency , or suspension or cancellation of enrolment
- General Misconduct may result in a warning, a charge for any costs that may have caused, request for formal apology if the action affected a third party, or suspension or cancellation of enrolment

Where a student has been identified with Academic or General Misconduct JHIT shall ensure the following:

- Students must be treated fairly, with dignity and with due regard to their privacy
- Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the CEO/RTO Manager to have so behaved.
- Past misconduct is not evidence that a student has behaved in the same manner again.

- Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

Where a decision to suspend or cancel a student enrolment the RTO will inform the student in writing ('Notification of Intention to Suspend or Cancel') of the following:

- The intention to suspend or cancel the student enrolment.
- That he or she has 20 working days in which to access JHIT's Complaints and Appeals policy and procedure and start the process of appealing the decision to suspend or cancel the enrolment.
- Where the student enrolment is to be suspended the length of the suspension must be included.
- Students must also be informed that JHIT is obliged to inform DET & DHA via PRISMS after the 20 working day period of the suspension or cancellation and this may affect their student visa.
- Students will be advised to contact DHA in relation to the status of their student visa.

3.6 Record keeping

A copy of all letters, details of phone calls made, any reports from meetings with the student in relation to the deferment, suspension, cancellation and appeal processes are to be maintained in the individual student's electronic file and or in the physical file.